

by Mr. Baldwin, it prevailed and the House, accordingly, at 3:50 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

FOURTH DAY.

(Thursday, April 25, 1929.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Barron.

The roll was called and the following members were present:

Mr. Speaker.	Keller.
Acker.	Kennedy.
Adkins.	Kincaid.
Albritton.	Kinnear.
Baker.	Lee.
Baldwin.	Long of Wichita.
Barnett.	Loy.
Bateman.	Mankin.
Bond.	Marks.
Bounds.	Mauritz.
Bradley.	Maynard.
Brice.	McCombs.
Brooks.	McDonald.
Carpenter.	McGill.
Chastain.	McKean.
Coltrin.	Mehl.
Conway.	Metcalfe.
Cox of Limestone.	Minor.
Davis.	Montgomery.
DeWolfe.	Morse.
Dunlap.	Mosely.
Enderby.	Mullally.
Ewing.	Negley.
Eickenroht.	O'Neill.
Finlay.	Patterson.
Forbes.	Pavlica.
Gates.	Petsch.
Gerron.	Pool.
Giles.	Pope of Jones.
Graves	Pope of Nueces.
of Williamson.	Prendergast.
Graves of Erath.	Purl.
Hardy.	Quinn.
Harding.	Ray.
Harman.	Reader.
Harper.	Reid.
Harrison.	Renfro.
Heaton.	Richardson.
Hefley.	Rogers.
Hines.	Rountree.
Hogg.	Savage.
Hopkins.	Sherrill.
Hubbard.	Shipman.
Jenkins.	Simmons.
Johnson	Sinks.
of Dimmit.	Smith.
Johnson of Smith.	Speck.
Johnson of Scurry.	Stephens.
Jones.	Stevenson.
Justiss.	Strong.
Keeton.	Tarwater.

Thurmond.	White.
Tillotson.	Wiggs.
Turner.	Williams
Van Zandt.	of Sabine.
Veatch.	Williams
Waddell.	of Travis.
Wallace.	Woodall.
Walters.	Woodruff.
Warwick.	Young.
Webb.	

Absent.

Beck.	Lemens.
Cox of Navarro.	Long of Houston.
Holder.	Murphy.
Kayton.	Palmer.
Kenyon.	Shaver.
King.	Westbrook.

Absent—Excused.

Ackerman.	Martin.
Anderson.	Moore.
Avis.	Nicholson.
Cox of Lamar.	Olsen.
Duvall.	Sanders.
Finn.	Shelton.
Fuchs.	Snelgrove.
Gilbert.	Storey.
Hornaday.	Thompson.
Kemble.	Williams
Land.	of Hardin.

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Sanders for today and the balance of the week, on motion of Mr. Acker.

Mr. Thompson for today and the balance of the week, on motion of Mr. Hogg.

Mr. Hornaday for today and the balance of the week, on motion of Mr. Dunlap.

Mr. Gilbert and Mr. Cox of Lamar for today and the balance of the week, on motion of Mr. Conway.

Mr. Shelton for today, on motion of Mr. Kincaid.

Mr. Finn and Mr. Strong for today and the balance of the week, on motion of Mr. Woodruff.

Mrs. Moore for today, on motion of Mr. Harper.

Mr. Olsen for today, on motion of Mr. Smith.

Mr. Fuchs for today, on motion of Mr. Barron.

Mr. Land for today and the balance of the week, on motion of Mr. Harding.

The following members were granted leaves of absence on account of illness:

Mr. Kemble for today, on motion of Mr. Morse.

Mr. Snelgrove for this week and next week, on motion of Mr. Graves of Erath.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Purl, Mr. Graves of William-son and Mr. Baldwin:

H. B. No. 31, A bill to be entitled "An Act to amend Article 2781, Revised Statutes, 1925, relating to term of contract of superintendents, principals, teachers or other executive officers in independent school districts; repealing Article 2782, Revised Statutes, 1925, which exempts the cities of Dallas and Fort Worth; repealing all laws in conflict herewith, and declaring an emergency."

Referred to Committee on Education.

By Mr. Jenkins, Mr. Van Zandt, Mr. Acker, Mr. McCombs and Mr. Williams of Travis:

H. B. No. 32, A bill to be entitled "An Act to provide that the transcribed notes of the official stenographer of the evidence in any civil case tried in any district or county court of this State may be read in evidence upon subsequent trial of any such case, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Tillotson and Mr. Coltrin:

H. B. No. 33, A bill to be entitled "An Act to provide for the establishment of a prison reformatory within the State prison system and as a part thereof; providing for the methods of handling the young, short-term State prisoners, and for certain duties of the State prison system and for certain duties of the Texas Prison Board and prison management in connection therewith, and declaring an emergency."

Referred to Committee on Penitentiaries.

By Mr. Cox of Limestone:

H. B. No. 34, A bill to be entitled "An Act appropriating fifteen hundred dollars (\$1500) to be applied upon the purchase of a statue to be placed upon the Fort Parker monument when a like sum is raised by commissioners to purchase said statue and use said funds therefor, and to withdraw such appro-

priation upon their affidavits of the collection of such like sum by public subscription; providing for selection of successors, in case of necessity, of such commissioners, and declaring an emergency."

Referred to Committee on Appropriations.

MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, April 25, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. C. R. No. 2, Relating to the commemoration of the seventy-fifth anniversary of the Gadsden Purchase.

Respectfully,

MORRIS C. HANKINS,

Assistant Secretary of the Senate.

EMPLOYEES ANNOUNCED.

The Speaker announced the appointment of the following employes:

Typists: Hilda Schulte, Agnes Elgin, J. C. Aldrich, Mrs. R. W. Rike.

Stenographers: Elsie Merriman, Mrs. Effie Waldron, Bess Elkins.

Page: Dean Madden.

Clerk to Enrolling and Engrossing Divisions: A. K. Daniel.

RELATING TO SALARY RAISES.

Mr. Veatch offered the following resolution:

Whereas, On the 23rd day of April, 1929, the Speaker of the House of Representatives ruled that the House had no authority to raise the salary of officers under the Rules of the House, unless first suspended, after their salaries had once been fixed; now, therefore, be it

Resolved, by the House of Representatives, That the Speaker of the House be requested to withhold his signature and not sign another voucher carrying any salary raises, and that all salary raises made in violation of the Rules of the House be declared null and void and of no effect.

The resolution was read second time.

Mr. DeWolfe submitted the following point of order:

I raise the point of order that the resolution is out of order because it attempts to reset salaries already set by this body; and if the resolution be considered as a point of order to what

the House did on a previous day it would amount to a reconsideration and comes too late.

The Speaker sustained the point of order and submitted the following reasons for his ruling:

The point of order or resolution raised by the gentleman from Johnson amounts to a reconsideration of a measure, which is prohibited by Rule XV, Section 1, on any but the same day or the next sitting day.

The resolution would amount to rescinding an act already voted upon by the House. The Rules of the House of Representatives do not provide for the rescinding of any motion already passed on by the House. Page 109, 1927 Manual.

PROVIDING FOR PRE-SESSION PAY FOR CERTAIN EMPLOYEES.

Mr. Davis offered the following resolution:

Whereas, It was necessary that certain work be done prior to the opening of the session of the Legislature in preparing the Hall and having other necessary preparations made; now, therefore, be it

Resolved, That the following employes be allowed per diem for the number of days herein specified at the same salary as paid for like work during session:

Louise Snow Phinney, Chief Clerk, two days.

Joe W. White, Sergeant-at-Arms, one day.

J. T. Hamilton, clerk to Sergeant-at-Arms, two days.

Joe Johnson, porter to Sergeant-at-Arms, two days.

Resolved, That these employes be paid out of the mileage and per diem fund of the House.

The resolution was read second time and was adopted.

COMMUNICATION IN REGARD TO CYCLONE AT SLOCUM.

The Speaker laid before the House and had read the following communication:

Palestine, Texas, April 25, 1929.

Hon. W. S. Barron and Members of the Texas Legislature, Capitol Building, Austin, Texas:

The village of Slocum, fourteen miles south of Palestine, and adjacent farm houses, the home of your fellow-member, Colonel N. R. Strong, were destroyed by cyclone yesterday. Seven known dead

and more than one hundred injured. Damage estimated at two hundred thousand dollars. Every building of every nature in the village was completely destroyed. Immediate relief imperative.

R. M. JOHNSON.

ADJOURNMENT.

Mr. Wallace moved that the House adjourn until 10 o'clock a. m. next Monday.

Mr. Baldwin moved that the House adjourn until 10 o'clock a. m. tomorrow.

Question first recurring on the motion by Mr. Baldwin, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—71.

Albritton.	Kinnear.
Baldwin.	Lee.
Barnett.	Long of Wichita.
Bateman.	Loy.
Bounds.	Marks.
Brice.	McCombs.
Brooks.	McDonald.
Carpenter.	Metcalfe.
Chastain.	Minor.
Coltrin.	Mosely.
Conway.	Pavlica.
Cox of Limestone.	Petsch.
Davis.	Pope of Jones.
Enderby.	Prendergast.
Ewing.	Purl.
Eickenroht.	Reader.
Finlay.	Reid.
Forbes.	Renfro.
Fuchs.	Richardson.
Gates.	Rogers.
Giles.	Rountree.
Graves	Savage.
of Williamson.	Sherrill.
Hardy.	Shipman.
Heaton.	Simmons.
Hefley.	Sinks.
Hogg.	Smith.
Holder.	Speck.
Jenkins.	Tarwater.
Johnson	Turner.
of Dimmit.	Van Zandt.
Johnson of Smith.	Walters.
Jones.	Warwick.
Justiss.	Woodall.
Keller.	Woodruff.
Kennedy.	Young.
Kincaid.	

Nays—36.

Adkins.	Harding.
Baker.	Harman.
Bond.	Harper.
Bradley.	Harrison.
Gerron.	Hopkins.

Johnson of Scurry.	Pope of Nueces.
Keeton.	Quinn.
Mankin.	Ray.
Maynard.	Stephens.
McGill.	Stevenson.
McKean.	Thurmond.
Mehl.	Tillotson.
Montgomery.	Veatch.
Morse.	Waddell.
Mullally.	Wallace.
Negley.	Webb.
Patterson.	White.
Pool.	Wiggs.

Absent.

Acker.	Long of Houston.
Beck.	Mauritz.
Cox of Navarro.	Murphy.
DeWolfe.	O'Neill.
Dunlap.	Palmer.
Graves of Erath.	Shaver.
Hines.	Westbrook.
Hubbard.	Williams
Kayton.	of Sabine.
Kenyon.	Williams
King.	of Travis.
Lemens.	

Absent—Excused.

Ackerman.	Moore.
Anderson.	Nicholson.
Avis.	Olsen.
Cox of Lamar.	Sanders.
Duvall.	Shelton.
Finn.	Snelgrove.
Gilbert.	Storey.
Hornaday.	Strong.
Kemble.	Thompson.
Land.	Williams
Martin.	of Hardin.

The House, accordingly, at 11:09 o'clock a. m., adjourned until 10 o'clock a. m. tomorrow.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following committees have today filed favorable reports on bills, as follows:

Penitentiaries: House bill No. 19.
 Education: House bills Nos. 11, 9 and 12.
 Appropriations: Senate bill No. 3.
 State Affairs: House bill No. 3.

FIFTH DAY.

(Friday, April 26, 1929.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Mr. Cox of Navarro.

The Speaker laid before the House, and had read the following communication:

April 25, 1929.

Mrs. Louise Snow Phinney, Chief Clerk, House of Representatives, Austin, Texas.

Dear Madam: Mr. Ernest C. Cox, a member of the House of Representatives, is hereby named by me as Speaker pro tempore, and as such is hereby given authority to call the House of Representatives to order, and preside over same during my absence.

Very truly yours,

W. S. BARRON,

Speaker of the House of Representatives.

The roll was called, the following members were present:

Acker.	Johnson
Ackerman.	of Dimmit.
Adkins.	Johnson of Smith.
Albritton.	Johnson of Scurry.
Baker.	Jones.
Barnett.	Justiss.
Bateman.	Keller.
Bond.	Kemble.
Bounds.	Kennedy.
Bradley.	Kincaid.
Brice.	Kinnear.
Brooks.	Land.
Carpenter.	Lee.
Chastain.	Lemens.
Coltrin.	Long of Wichita.
Cox of Navarro.	Loy.
Cox of Limestone.	Mankin.
Davis.	Marks.
DeWolfe.	Mauritz.
Dunlap.	Maynard.
Enderby.	McCombs.
Ewing.	McDonald.
Eickenroht.	McGill.
Finlay.	Metcalf.
Forbes.	Minor.
Fuchs.	Mosely.
Gates.	Mullally.
Gerron.	Negley.
Giles.	O'Neill.
Graves	Patterson.
of Williamson.	Pavlica.
Graves of Erath.	Petsch.
Hardy.	Pool.
Harding.	Pope of Jones.
Harman.	Prendergast.
Harper.	Purl.
Harrison.	Ray.
Heaton.	Reid.
Hefley.	Renfro.
Hines.	Richardson.
Hogg.	Shelton.
Hornaday.	Sherrill.
Jenkins.	Shipman.